

**REMARKS****INTRODUCTION:**

In accordance with the foregoing, claim 3 has been canceled without prejudice or disclaimer, and claims 1, 7 and 9 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-2 and 4-12 are pending and under consideration. Reconsideration is respectfully requested.

**REJECTION UNDER 35 U.S.C. §102 AND §103:**

A. In the Office Action, at page 3, numbered paragraph 4, claims 1, 2, 5, 8, 11, and 12 were rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as being obvious over Kurokawa et al. (*J. Mar. Sci. Letts.*, 1996; hereafter, Kurokawa). This rejection is traversed and reconsideration is requested.

Independent claim 1 has been amended to include the features of claim 3, and claim 3 has been canceled without prejudice or disclaimer. Claims 7 and 9 have been amended to update dependency.

Hence, as noted by the Examiner on page 4 of the Office Action, independent claim 1 is in allowable form and is not anticipated under 35 U.S.C. §102(b) by Kurokawa et al. (*J. Mar. Sci. Letts.*, 1996) and is not obvious under 35 U.S.C. §103(a) over Kurokawa et al. (*J. Mar. Sci. Letts.*, 1996). Since claims 2, 5, 8, 11, and 12 depend from amended independent claim 3, claims 2, 5, 8, 11, and 12 are not anticipated under 35 U.S.C. §102(b) by Kurokawa et al. (*J. Mar. Sci. Letts.*, 1996) and are not obvious under 35 U.S.C. §103(a) over Kurokawa et al. (*J. Mar. Sci. Letts.*, 1996) for at least the reasons amended independent claim 1 is not anticipated under 35 U.S.C. §102(b) by Kurokawa et al. (*J. Mar. Sci. Letts.*, 1996) and is not obvious under 35 U.S.C. §103(a) over Kurokawa et al. (*J. Mar. Sci. Letts.*, 1996).

B. In the Office Action, at page 3, numbered paragraph 5, claims 1, 2, 4, 5, 6, 8 and 10-12 were rejected under 35 U.S.C. §102(e) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being obvious over Mehta et al. (USPN 6,844,389; hereafter, Mehta). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Independent claim 1 has been amended to include the features of claim 3, and claim 3 has been canceled without prejudice or disclaimer.

Hence, as noted by the Examiner on page 4 of the Office Action, independent claim 1 is in allowable form and is not anticipated under 35 U.S.C. §102(e) by Mehta et al. (USPN 6,844,389) and is not obvious under 35 U.S.C. §103(a) over Mehta et al. (USPN 6,844,389). Since claims 2, 4, 5, 6, 8 and 10-12 depend from amended independent claim 1, claims 2, 4, 5, 6, 8 and 10-12 are not anticipated under 35 U.S.C. §102(e) by Mehta et al. (USPN 6,844,389) and are not obvious under 35 U.S.C. §103(a) over Mehta et al. (USPN 6,844,389) for at least the reasons amended independent claim 1 is not anticipated under 35 U.S.C. §102(e) by Mehta et al. (USPN 6,844,389) and is not obvious under 35 U.S.C. §103(a) over Mehta et al. (USPN 6,844,389).

**CLAIMS OBJECTED TO:**

In the Office Action, at page 4, numbered paragraph 6, claims 3, 7, and 9 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for his careful review of claims 3, 7 and 9 and for submitting that said claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Independent claim 1 has been amended to include the features of claim 3, and claim 3 has been canceled without prejudice or disclaimer. Claims 7 and 9 have been amended to update dependency.

Hence, amended claim 1 and claims 2 and 4-12 which depend therefrom are submitted to be in allowable form.

**EXAMINER'S RESPONSE TO ARGUMENTS:**

In the Office Action, at page 4, paragraph 7, the Examiner withdrew the rejection of claims over Mehta et al., set forth in the previous office action, and applied Mehta et al. to the instant claims with a new grounds of rejection in which Kurokawa et al. represents a newly discovered reference which is applicable to the instant claims.

Claim 1 has been amended in accordance with the Examiner's suggestion, and hence, claims 1, 2 and 4-12 are now submitted to be in allowable form as noted on page 4 of the Office Action.

**CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all

pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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